

Juveniles To Be Judged By Peers In Youth Court

By Michelle Pirraglia

Looking to move towards "positive" reinforcement for juveniles who commit minor offenses, the town of Babylon will soon be implementing a youth court. Non-violent first-time offenders between 12 and 18 years of age will be judged by their peers and given "proactive" sentences, such as community service or writing letters of apology, according to Town Supervisor Steve Bellone.

"We're trying to take kids who are on the wrong track and move them into a positive atmosphere," Bellone said of the youth court program. "It's restorative justice rather than punitive justice. We want to give them a more constructive experience."

According to Claire McKeon, deputy director of Babylon Town's Youth Bureau, juveniles will have to be referred by the Suffolk County Probation Office in order to participate in the youth court program. "It gives them an opportunity to take responsibility for what they've done while dealing with it constructively," McKeon said.

The offenders will be judged by their peers, who will play all the roles within the criminal system, including the judge, jurors and attorneys, during the process. This program requires the consent of both the juvenile and their parent/guardian, and the crime they are accused of must be no higher than a misdemeanor charge, according to McKeon.

"The youth court introduces kids who have committed offenses to the whole concept of being judged by their peers and gives the others who are participating in the process some real practical experience," said Bellone, who noted that youth courts are currently operating in 48 states. "Studies indicate that there's a much lower rate of recidivism for those who go through the youth court process. There's a lot of positive reinforcement involved."

The towns of Huntington and Brookhaven have already implemented the youth court system. The reason for its implementation in Babylon is two-fold. According to McKeon, Huntington was becoming "overburdened" by the youth court caseload, as they were taking in some juveniles from the Babylon area. Bellone added that the "Summer

Nights" program, which had been in place to reach out to troubled teenagers, was "dwindling," and that change was needed.

"The program wasn't working, and we really wanted to try something else," Bellone explained, noting that the funding formerly attributed to the "Summer Nights" program will now go towards the youth court operation. Bellone also noted that Legislator Wayne Horsley (D-Lindenhurst) has obtained \$10,000 in funding for the program.

A steering committee consisting of three judges, as well as members of the Suffolk County Police Department, the district attorney's office and other community leaders, will be meeting over the next six months to discuss the logistics of setting up the court. Several topics, including the training of those youths who will serve in the court system, are slated for the upcoming meetings.

"It's a critical age in their development," said Bill DeVore, deputy bureau chief of Suffolk County District Attorney Thomas Spota's office, who is serving on the committee. "If we can nip these things in the bud, the community will be better off."

DeVore also noted that the steering committee will be guiding the teenagers who serve in the program. "They'll have to go through a rather extensive training procedure before they participate," he said, adding that the offenders will have to serve on the youth court jury after their sentences are completed.

The "sanctions," according to McKeon, will often be linked to the type of crime they are accused of committing. As an example, McKeon said a juvenile who sprayed graffiti on a building may be referred to an art class in addition to their community service sentence. "That way they can channel their art into a positive experience," she noted. "The whole idea is to reduce the rate of juvenile delinquency. If we can balance out their anger and turn it into something with meaning, it will turn them around."

According to the National Youth Court Center website, www.youth-court.net, a recent study of the program in four states showed that the recidivism rate for those who went through the youth court was between 6% and 9%,

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which officials believe is well below the percentage found in the family court system. In Missouri, officials found that "9% of the youth who went through the Independent Youth Court re-offended within six months, compared with 28% of similar youth handled by the [local] family court [system]," according to the NYCC study.

Bellone said the town hopes to have the youth court up and running by this time next year. "It's a very unique program, and hopefully we will see the benefits," he said.